



From: Karen Iuele [mailto:kinnelondeputy@yahoo.com]

Sent: Thursday, September 03, 2009 10:48 AM

To: Carol Ashley; Trudy Atkinson; Susan Caljean; Donna Costello; Dolores Dalessandro; Betty Lou DeCroce; Valerie Egan; Gabrielle Evangelista; Dianne Gallets; Amanda Gildersleeve; Joseph Gorgio; Lori Harvin; Catherine Iacouzzi; Carol Isemann; Patricia Korpos; Lashway, Lisa; Donna Marie Luciani; Lydia Magnotti; Maureen Massey; Gail McKane; Elizabeth Osborne; Maria Pivirotto; Laura Roberts; Beth Sebrowski; Linda SeSantis; Judy Silver; Cindy Sloane; Penny Maida Smith; Ileen St. John; Dolores Sweeney; Carol Talerico; June Uhrin; Marge Verga; Joy Wiley; Sheila Williams

Cc: kinnelondeputy@yahoo.com

Subject: Resolution 8.9.09

Attached you will find Resolution 8.9.09 Supporting an Amendment to the Open Public Records Act that was pasted at our Mayor & Council Meeting on August 20, 2009

*Karen Iuele, Deputy Clerk
973-838-5401 ext 205*

RESOLUTION 8.9.09

**SUPPORTING AN AMENDMENT
TO THE OPEN PUBLIC RECORDS
ACT**

WHEREAS, the Borough of Kinnelon has consistently and reasonably fulfilled its responsibilities pursuant to the Open Public Records Act (N.J.S.A. 47:1A-1, et seq); and

WHEREAS, notwithstanding the legitimate public interest which the Open Public Records Act is intended to protect, the broad scope of the Act allows for its abuse by individuals for an improper purpose, including, but not limited to, harassment of State, County, or Local Government, or governmental officials and employees; and

WHEREAS, there is a legitimate and pressing need to amend the Open Public Records Act to prevent improper use of the Act; and

WHEREAS, the Legislature of the State of California has recently introduced legislation to amend its Public Records Act to permit governmental entities to petition a Court of competent jurisdiction to issue a protective order limiting the number and scope of requests a requestor may make and /or eliminating a governmental entity's duty to respond to public record requests form the requestor in the future has sought or is seeking governmental records for an improper purpose, including, but not limited to, the harassment of State, County, or Local Government, including officials and employees; and

WHEREAS, an amendment to the Open Public Records Act similar or equivalent to the pending California Legislation is necessary and appropriate.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Kinnelon calls upon the State's Assembly and Senate to immediately enact an amendment to the Open Public Records Act equivalent to California Bill AB 520; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be distributed to Governor Jon S. Corzine, all representatives of the 25th Legislative District and all Morris County Municipalities.

Elizabeth M. Sebrowski
Elizabeth M. Sebrowski
Borough Clerk